

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

September 17, 1999

In re application of : Carroll
Serial No. : 08/872,088
Filed : 6/10/97
For : Diagnostic Sanitary Test Strip
Examiner : Chin
Art Unit : 1641
Our File No. : 9186.4804

RECEIVED
SEP 20 1999
GROUP 1800

RESPONSE TO THE AUGUST 17, 1999, FINAL REJECTION

Box AF
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This Amendment is responsive to the Official Action mailed August 17, 1999.

AMENDMENT

In the Claims

Please cancel claims 22 - 41 without prejudice.

21

~~42~~. (Amended) A diagnostic sanitary test strip device for measuring an analyte of interest in a heterogenous fluid sample, said test strip comprising:

(a) an upper support layer defining a sample receiving port for receiving the fluid sample therein;

(b) means for retaining the fluid sample to prevent spillage of the sample from said strip to make said test strip sanitary;

26